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# NEW BUSINESS CALENDAR

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## DOWNTOWN REVIEW BOARD AGENDA

STAFF: RYAN TEFERTILLER

FILE NO:  
CPC CU 17-00039 – QUASI-JUDICIAL

PROJECT: BRASS BREWERY  
APPLICANT: YOW ARCHITECTS PC  
OWNER: MIDTOWN VENTURES LLC



## PROJECT SUMMARY:

1. Project Description: The requested conditional use application was submitted to allow the ground level of the existing mixed use building at 9 S. Weber St. to be used for a brewery use. The property is zoned FBZ-CEN (Form-Based Zone – Central Sector), and is located on the east side of S. Weber St. just south of E. Pikes Peak Ave. **(FIGURE 1)**
2. Applicant's Project Statement: **FIGURE 2**
3. Planning & Development Team's Recommendation: **Approval of the application with technical modifications.**

#### **BACKGROUND:**

1. Site Addresses: 9 S. Weber St.
2. Existing Zoning/Land Use: FBZ-CEN (Form-Based Zone – Central Sector) / The site included a one-story commercial building until 2016 when construction was completed for a small first floor addition as well as an entirely new second floor containing three new apartment units.
3. Surrounding Zoning/Land Use:
  - North: FBZ-CEN / commercial and office uses
  - South: FBZ-CEN / commercial, office and civic uses
  - East: FBZ-CEN / commercial and office uses
  - West: FBZ-CEN / commercial, office and civic uses
4. Comprehensive Plan/Designated 2020 Land Use: Regional Center
5. Annexation: Town of Colorado Springs, 1872
6. Master Plan/Designated Master Plan Land Use: Experience Downtown Master Plan (2016) / Activity Center Mixed Use
7. Subdivision: Town of Colorado Springs, 1871
8. Zoning Enforcement Action: None
9. Physical Characteristics: The site is flat and is developed with a two story mixed use building and a small surface parking lot in the rear of the property.

#### **STAKEHOLDER PROCESS AND INVOLVEMENT:**

The stakeholder process for this project included notification to 185 property owners within a 1,000 foot buffer from the property shortly after the application was submitted. Those notices contained brief information about the project and invited stakeholders to provide comment to Planning Staff. Only one formal comment was received by the City; a letter of support dated April 18, 2017 was submitted by the Downtown Partnership of Colorado Springs (**FIGURE 3**). Notices will again be mailed and posters posted on the site prior to the public hearing at the Downtown Review Board.

#### **ANALYSIS OF REVIEW CRITERIA AND MAJOR ISSUES**

The proposed brewery is located in an existing commercial space on the east side of S. Weber St. just south of E. Pikes Peak Ave. The space in question is roughly 3,225 square feet in size. The building includes three residential apartments on the newly constructed second floor. Although the site is exempt from FBZ parking standards, the site includes a surface parking lot to the east of the building which accommodates 8 parking stalls and is accessible by the public alley to the east or by a private drive off of Weber St. The three eastern-most parking stalls are shown on the plan as being used on evenings and weekends for food truck operation.

One of the overarching principles of the Downtown Form-Based Zone is that individual land uses are less important than the building forms that establish Downtown's character, architecture and built environment. A healthy downtown is comfortable to pedestrians, and pedestrians are affected more by physical forms, public improvements, traffic speeds, and a consistent street-wall, than they are by the uses which exist behind closed doors. However, there are a select number of uses which, if not properly considered, have the potential to negatively impact surrounding properties and downtown as a whole. One such use is a bar, which is defined as a business which generates more than fifty percent of gross revenue from on-site alcohol sales. While all successful urban areas have bars, the size, type, and perhaps most importantly, location of new bars was determined to deserve case-by-case review by the Downtown Review Board at a public hearing through the conditional use process. This review, including the evaluation of the conditional use review criteria, can be an important step toward ensuring that surrounding properties are not harmed and that clusters of existing bars aren't intensified, worsening problems associated with many late night urban uses.

Specific areas within the Downtown Form-Based Zone have experienced recurring problems with bars and late night bar customers. Littering, fighting, and other criminal activities are a challenge in areas with a high concentration of bar uses. City resources, specifically increased Police presence, are necessary to minimize impacts to the surrounding area and protect innocent residents and customers. However, the proposed location of the Brass Brewery is relatively buffered from other bar uses. The closest bars to the subject property are Triple S Brewing which is on the same block but on E. Colorado Ave. around the corner from Fire Station 1, and the Triple Nickle Tavern which is also on the same block but roughly opposite from the site (over 750 feet away via public sidewalk). The Ute and Yeti (located within City Rock Climbing Gym) is also somewhat close to the site with approximately 1,000 feet of separation from the subject property. Additionally, the proposed specialization in craft beer and the site's distance from any existing bar-related problem areas lead staff to conclude that the proposed use will not negatively impact surrounding properties or Downtown as a whole.

As a project that requires a conditional use, the Downtown Review Board must find that the project substantially complies with the following criteria:

- A. Surrounding Neighborhood: That the value and qualities of the neighborhood surrounding the conditional use are not substantially injured.
- B. Intent of Zoning Code: That the conditional use is consistent with the intent and purpose of this Zoning Code to promote public health, safety and general welfare.
- C. Comprehensive Plan: That the conditional use is consistent with the Comprehensive Plan of the City.

Staff finds that the proposed application is consistent with the required conditional use criteria and recommends that the Downtown Review Board approve the project.

**STAFF RECOMMENDATION:**

**ITEM NO: CPC CU 17-00039 – BRASS BREWERY**

**Approve** the proposed conditional use based on the findings that the conditional use criteria found in section 7.5.704 of the City Code will be substantially met once the following modifications are made:

**Technical modifications to the conditional use plan:**

1. Add the file number to the bottom right-hand corner of each plan sheet
2. Label the composition of the proposed roll up door on the front façade of the building. Staff recommends a fully glazed and transparent door to maintain compliance with the FBZ glazing standards.
3. Update the percent glazing figure on the west building elevation to reflect the new roll up door.
4. Add a note to the plan indicating that a revocable permit will be necessary should an outdoor patio space be proposed in the public right-of-way.